

REMARKS

The previous amendments of claims 1, 15, and 23 have been objected to under 35 U.S.C. §132 as introducing new matter into the disclosure. In addition, claims 1 - 28 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In response, Applicant requests entry of the above amendments to claims 1, 15, and 23 to cancel the new matter noted in section 1 of the Office Action. The phrase "to supplement the patient's respiration" has been retained in claims 1, 15, and 23, and is supported by the specification and the preamble of these claims. Applicant submits that entry of these amendments will place the claims in better condition for an appeal.

Claims 1, 2, 6, 8, 11 - 15, 20, 23, 25, and 28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi. Claims 3 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi in view of Bowden et al. Claims 4 and 17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi in view of Brain. Claims 5 and 18 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi in view of Dali et al. Claims 7 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi in view of Spofford et al. Claims 9, 10, 21, 22, 26, and 27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi in view of Daniell et al. Claim 24 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Lethi in view of Linder et al. In response, Applicant respectfully traverses these rejections and restates the arguments set forth in the Applicant's previous responses.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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